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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KEVIN ALLEN,  
Plaintiff,  
v.  
L. TOBIN, et al.,  
Defendants.

Case No. 15-cv-01075-JCS (PR)

**ORDER OF DISMISSAL**

Plaintiff has failed to comply with the Court's order to file an amended complaint by the deadline. Accordingly, this federal civil rights action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion **must** contain an amended complaint compliant with the instructions set forth in the order dismissing the complaint with leave to amend (Docket No. 23).

The Clerk shall enter judgment in favor of defendants, and close the file.

**IT IS SO ORDERED.**

**Dated:** September 27, 2016

  
JOSEPH C. SPERO  
Chief Magistrate Judge